no principal contract, no collateral agreement which rests merely on the existence of the main obligation can be supported.

CONSTITUTIONAL LAW—FOURTEENTH AMENDMENT—BLACKLISTING STATUTE—The legislature of Minnesota passed an act imposing a punishment of imprisonment on employers "blacklisting" employes. *Held*, that the act was valid, the statute being for the protection of a natural right guaranteed by the Constitution. *State* v. *Justus*, (1902), — Minn. —, 88 N. W. Rep. 759.

Similar blacklisting statutes exist in about fifteen states, but this appears to be the first case where their constitutionality is drawn in question. EDDY, COMBINATIONS, *passim*. In itself, blacklisting has been held to be no cause for action in equity, and an injunction has been refused. *Worthington* v. *Waring*, (1892) 157 Mass. 421, 32 N. E. 744, 20 L. R. A. 342, 34 Am. St. Rep. 294. But where malice is found in these cases there is a deprivation of a civil right by wrongful act, and if employment has been denied by such an act, a cause of action at law arises. COOLEY, TORTS, (2nd Ed.) 328; *Mattison* v. *Ry. Co.*, (1895) 2 Ohio N. P. 276, 3 id. 190. 3 Ohio Low. Dec. 526, 5 id. 125. That employment has been sought and refused must be averred in pleading. *Hundley* v. *Railroad Co.*, (1898) 105 Ky. 162, 48 S. W. 429. The right to labor is property. BLACKSTONE, Com. II, 5; *Slaughter House Cases*, (1872), 16 Wall. 36, 113; and it is included among the rights secured by the 14th Amendment: *In re Parrott*, (1880), 1 Fed. R. 481. As, therefore, no constitutional right is violated, but rather protected, the decision in the principal case seems to be sound.

CONSTITUTIONAL LAW—RETROACTIVE LEGISLATION—CURATIVE ACT—B., who resided in Texas, was largely indebted to M., and M. had obtained judgment against him. After the rendition of the judgment, B. borrowed of the E. S. B. Co., a large sum of money which he invested in cattle. To secure the repayment of the money, B. mortgaged the cattle to the E. S. B. Co. The cattle were sent into Indian Territory to graze. Under the laws of Congress, such mortgages should be recorded where the mortgagor resided; instead of this, they were recorded in Indian Territory, where the cattle were. M. had actual knowledge of the existence of the mortgages, but, claiming that they were inoperative as liens because not properly recorded, he sued out an attachment upon his judgment against B., and levied upon the cattle. Congress then passed a law declaring that mortgages so recorded "are hereby validated." In a contest between M. and the mortgagees, *Held*, that the act of Congress divested M. of no vested right, and was therefore valid. *McFadden* v. *Evans-Snider Buel Co.* (1900) 44 C. C. A. 494, 105 Fed. Rep. 293 (Sanborn J. dissenting), affirmed by the Supreme Court of the United States May 19, 1902.

M. was not a purchaser for value without notice. He had parted with nothing in reliance upon the defective condition of the record. He had no equitable claim, as he had actual notice of the existence of the mortgage. His judgment against B. was not affected, neither was his attachment destroyed, as it would hold any surplus after satisfying the mortgage. Congress had simply given legal effect to the equitable lien of the mortgage. Congress may pass retrospective laws in many cases, and this one deprived M. of no property or other vested right. *Freeborn* v. *Smith*, 2 Wall. 160, 17 L. ed. 922, and *Watson* v. *Mercer*, 8 Pet. 100, 8 L. ed. 881, were chiefly relied upon as furnishing analogies, though several other cases were cited.

CONSTITUTIONAL LAW—STATUTE PROHIBITING DISCHARGE OF MEMBERS OF LABOR UNIONS—The statutes of Wisconsin provide that "No person or corporation shall discharge an employee because he is a member of any labor organization." In a prosecution for a violation of this statute, *Held*, that the statute was unconstitutional and void. *State* v. *Kreutzberg*, (1902), —Wis. —, 90 N. W. Rep. 1098.